

# Memorandum

Date: **NOV 17 2006**

To: Dale Hoffman-Floerke, Chief  
Colorado River and Salton Sea Office  
Room 1148

From: David A. Gutierrez, Chief  
Division of Safety of Dams  
Department of Water Resources

Subject: Draft Programmatic Environmental Impact Report, Executive Summary, Salton Sea Ecosystem Restoration Program, October 1, 2006, Imperial and Riverside Counties.

We have reviewed the Draft Programmatic Environmental Impact Report for the Salton Sea Ecosystem Restoration Program.

Based on the information provided, we find that several of the barrier configuration alternatives to the Salton Sea may be under State jurisdiction for safety. Sections 6002 and 6003 of the California Water Code define that dams 25 feet or higher having a reservoir storage capacity of more than 15 acre-feet, and dams higher than six feet having a storage capacity of 50 acre-feet or more, are under State jurisdiction. Jurisdictional height of a dam is the vertical distance measured from the lowest point at the downstream toe of the dam to its maximum storage elevation.

If the proposed barriers are under State jurisdiction, an application, together with plans and specifications, must be filed with the Division for construction of the new dam. All dam safety issues must be resolved prior to the approval of the application. Design and construction of the dam must be performed under the direction of a civil engineer registered in California. John Vrymoed, Design Engineering Branch Chief, is responsible for the application approval process and can be reached at (916) 227-4660.

If you have any questions, please contact Office Engineer Chuck Wong at (916) 227-4601 or Regional Engineer Mutaz Mihyar at (916) 227-4600.

cc: Nadell Gayou, Resources Agency Project Coordinator  
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Acting for DAB*